

REMARKS/ARGUMENTS

Claims 1-21 are now pending in this application. In the May 1, 2006 Office Action (the Action), claims 1-21 were rejected under 35 U.S.C. 103(a). Claims 3-20 were also objected to due to the following minor informality: Two claims were listed as claim number 3 in the original filing.

By this amendment, claim 2 has been cancelled. Also, claim 1 has been amended so as to include elements of cancelled claim 2. Claim 14 has been amended to incorporate aspects of claim 16. Claim 3 has been amended to correct dependency, and claims 4-21 have been amended so as to be renumbered pursuant to the objections noted above as well as to the examiner interview conducted April 17, 2006, in addition to other minor amendments. Following entry of this amendment, claims 1 and 3-21 will be pending in the present application. No new matter has been added. For the reasons set forth below, Applicants respectfully request reconsideration and immediate allowance of this application.

Claim Rejections Under 35 U.S.C. 103(a)

The Action rejected claims 1-6, 12-14, 20, and 21 under 35 U.S.C. 103(a) as being unpatentable over Yang, et al., U.S. Publication No. 2003/0126511 (*Yang*) in view of Cortopassi, et al., U.S. Patent No. 6,018,806 (*Cortopassi*). Applicants respectfully submit that *Yang* and *Cortopassi* do not separately or together teach or suggest each recitation of these claims, even if combined in the manner suggested by the Examiner.

Independent Claim 1

With specific regard to independent claim 1, neither *Yang* nor *Cortopassi* teaches or suggests “a compressed computer program operative to restore a portion of the computer basic input/output system when uncompressed and executed.” In rejecting this portion of claim 1, the Action points to ¶ 19, lines 6-17 of *Yang*. Here, *Yang* merely describes “compressed POST [Power-On Self Test] programs which can execute the self testing procedures for the hardware, software, and peripheral components of the system after being” and “compressed BIOS function/run-time codes which can provide related function services after being decompressed.” Neither the POST programs, nor the BIOS function/run-time codes of *Yang* teach or suggest a

compressed computer program operative to restore a portion of the computer BIOS when uncompressed and executed.

Yang includes a computer program which may be operative to restore a portion of the computer BIOS. Such a computer program may be found in *Yang* figure 1 and accompanying description as restoring means 26, which is part of automatic restoring module 22. However, nowhere does *Yang* teach or suggest that either restoring means 26 or the entire automatic restoring module 22 be compressed.

With further regard to independent claim 1, neither *Yang* nor *Cortopassi* teaches or suggests “a hardware protected region storing a portion of a computer basic/input input/output system comprising ... a first uncompressed computer program operative to uncompress the compressed computer program.” The Action admits that although *Yang* may include a decompress module 16, the module is not stored in a hardware protected region.

Although other portions of *Yang*’s BIOS can be stored in a hardware protected region, *Yang* does not teach or suggest that the decompress module 16 be stored in such a region, and in fact, appears to teach away from doing so. *Yang* at ¶18, describes boot block 12 being “protected by specific hardware or software against arbitrary or incautious changes.” *Yang* at ¶22, notes that automatic restoring module 22 “can be embedded into the boot block 12 for preventing it from damage from improper operations.” *Yang*, however, does not offer that either decompress module 16 or function program module 14, of which the decompress module is a part, can be stored in a hardware protected region. Furthermore, in reference to block 44 of *Yang* Figure 4, decompress module 16 is explicitly checked during startup to see if it is correct. This can only mean that decompress module 16 has not been stored in a hardware protected region, since it needs to be checked for correctness before proceeding with decompression steps, such as block 46 of *Yang* Figure 4. Storing decompress module 16 in a hardware protected region would obviate the need for a check of the module.

The combination of *Yang* with *Cortopassi* does not repair the deficiencies noted above. Although *Cortopassi* discloses a “system in which a recovery program is stored in a protected sector of flash memory,” it does not disclose compressing a restoration program and storing it with a decompression program in a hardware protected region. As discussed above, *Yang* does

not teach or suggest these elements of independent claim 1. Therefore, the combination of these references cannot anticipate every element of the claim. For at least this reason, Applicants request that the rejection of claim 1 be withdrawn, and the claim allowed. Rejections of claims 2-5, which depend ultimately from claim 1, should also be withdrawn for the same reasons and because these claims include recitations not taught or suggested by the cited references.

Independent Claim 6

With regard to independent claim 6, neither *Yang* nor *Cortopassi* teach or suggest “storing within the hardware protected region a portion of a computer basic input/output system comprising a recovery computer program ... in a compressed format [and] storing within the hardware protected region a decompression computer program ... in an uncompressed format” As discussed above with reference to claim 1, neither *Yang* nor *Cortopassi* teach or suggest storing a compressed recovery program along with an uncompressed decompression program in a hardware protected region. *Yang*, in fact, teaches away from claim 6, as with claim 1, again as discussed above. Since these elements are not disclosed by the references, Applicants respectfully request that the rejection of claim 6 be withdrawn, and the claim allowed. Likewise, claims 12 and 13, which depend from claim 6, are also allowable for the same reasons and because these claims include recitations not taught or suggested by the cited references.

Independent Claim 14

With regard to independent claim 14, neither *Yang* nor *Cortopassi* teach or suggest compressing a first executable computer program code segment operative to determine whether a portion of a computer basic input/output system stored in a non-hardware protected region of the memory device is valid, and storing the first executable computer program code segment along with a second executable program code segment operative to uncompress the compressed first executable computer program code segment in a hardware protected region of a memory device. Again, as discussed above with claim 1, neither *Yang* nor *Cortopassi* teach or suggest storing a compressed program for determining BIOS validity along with an uncompressed decompression program in a hardware protected region. Since these elements are not disclosed by the references, Applicants respectfully request that the rejection of claim 14 be withdrawn, and the claim allowed. Likewise, claims 20 and 21, which depend from claim 14, are also allowable for

the same reasons and because these claims include recitations not taught or suggested by the cited references.

Dependent Claims 7-11 and 15-19

The Action also rejected dependent claims 7-11 and 15-19 under 35 U.S.C. 103(a) as being unpatentable over *Yang* in view of *Cortopassi* as applied above, and in further view of *Null*, Linda, "The Essentials of Computer Organization and Architecture" (*Null*). In response, Applicants cite the above arguments with respect to claims 6 and 14, noting that claims 7-11 and 15-19 depend from these independent claims. Neither *Yang* nor *Cortopassi* teach or suggest every element of the independent claims, and for at least that reason, they do not teach every element of the dependent claims. The addition of *Null* does not resolve the deficiency, and does not teach the storage of compressed and uncompressed programs in a hardware protected region. Therefore, Applicants respectfully request that the rejections of claims 7-11 and 15-19 be withdrawn, and they be allowed.

CONCLUSION

In view of the foregoing amendment and remarks, Applicants respectfully submit that all of the pending claims in the present application are in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact the applicants' undersigned attorney at the number below.

Respectfully submitted,

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